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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/536,625	03/28/2000	Anthony Italo Provitola		5607

23362 7590 12/03/2003

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EXAMINER

SHERKAT, AREZOO

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicant(s) N .

09/536,625

Applicant(s)

PROVITOLA, ANTHONY ITALO

Examiner

Arezo Sherkat

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1, 8, and 14 are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention of Baker, U.S. Patent No. (5,961,645).

In regard to claim 1, Baker discloses an internet operation including a system of secret internet web sites comprising: a plurality of computers programmed to operate as web servers, one or more of said web servers hosting internet web sites for said internet operation, one or more of said internet web sites being main sites having URLs which are publicly associated with said internet operation accessible through said internet web sites (Col. 1, lines 18-21); one or more of said internet web sites being secret sites having URLs which are not publicly associated with said internet operation, said secret sites being a part of said internet operation by which said internet operation may be accessed (Col. 1 line 65 to Col. 2 line 6 and Col. 2 line 65 to Col. 3 line 6).

In regard to claim 8, Baker discloses a system where the user is free to contact and use the main site anonymously as permitted and desired (Col. 1, lines 18-21).

In regard to claim 14, Baker discloses a system of secret internet web sites, comprising: a plurality of computers programmed to operate as web servers, one or more of said web servers hosting internet web sites for an internet operation (Col. 1,

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lines 18-21); one or more of said internet web sites being secret sites having universal resource locators (URLs) which are not publicly associated with any internet operation, which are operated to provide access to internet operations of other operators of internet web sites (Col. 1 line 65 to Col. 2 line 6 and Col. 2 line 65 to Col. 3 line 6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2, 3, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, U.S. Patent No. (5,961,645) in view of Jablon, U.S. Patent No. (6,226,383).

Claims 2, 3, 15, and 16 are rejected applied as above in rejecting claims 1 and 14. Furthermore, Baker teaches users being redirected to other URLs (Col. 2, lines 27-35). However, Baker doesn't expressly disclose using the system of secret Internet web sites to secure the Internet operation against cybervandalism including denial-of-service attacks. Jablon discloses a system to handle on-line trial-and-error dictionary attacks and "denial-of-service" attacks (Col. 13, lines 15-20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ teachings of Jablon within the system of Baker because it would allow

redirection to an operational URL in order to secure the Internet operation against cybervandalism including denial-of-service attacks.

3. Claims 4-7, 13, 17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, U.S. Patent No. (5,961,645) in view of Klug, U.S. Patent No. (5,790,785).

Claim 4 is rejected applied as above in rejecting claim 1. However, Baker doesn't expressly disclose that one or more of said secret sites are assigned to one or more users of said Internet operation. Klug discloses the process of subscribing a user to a website using Registrar (Figs. 4A and 4B). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ teachings of Klug within the system of Baker because it would allow one or more of said secret sites to be assigned to one or more users of said internet operation.

Claims 5 and 17 are rejected applied as above in rejecting claims 1 and 14. However, Baker doesn't expressly disclose the URLs of secret sites being maintained as secret by entities authorized by the operator of the Internet operation from all but those users who have been given the knowledge thereof by said operator. Klug discloses the steps of storing user's ID (and optionally password) in a user registration information database to keep track of the user's registration to a third party website (Fig. 8). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ teachings of Klug within the system of Baker because it would allow the URLs of secret sites being maintained as secret by entities

authorized by the operator of the Internet operation from all but those users who have been given the knowledge thereof by said operator.

Claim 6 is rejected applied as above in rejecting claim 1. However, Baker doesn't expressly disclose the URL of a secret site, acquired by a user through assignment to a user by an entity authorized by the operator. Klug discloses the process of subscribing a user to a website using Registrar (Figs. 4A and 4B). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ teachings of Klug within the system of Baker because it would allow the URL of a secret site to be acquired by a user through assignment to a user by an entity authorized by the operator.

Claim 7 is rejected applied as above in rejecting claim 1. However, Baker doesn't expressly disclose a secret site is one whose existence, identity and URL are learned by a user only through the process of subscription. Klug discloses the process of subscribing a user to a website (Figs. 4A and 4B). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ teachings of Klug within the system of Baker because it would allow a secret site whose existence, identity, and URL are learned by a user only through the process of subscription.

Claims 13 and 20 are rejected applied as above in rejecting claims 1 and 14. However, Baker doesn't expressly disclose the secret site program that queries the user for the identification, verifies the information, and proceeds to assign one of the secret site URLs to the user. Klug teaches the steps performed in the process of registering at

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a third party website (Col. 8, lines 20-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ teachings of Klug within the system of Baker because it would allow the secret site program to query the user for the identification, verify the information, and proceed to assign one of the secret site URLs to the user.

4. Claims 9, 11, 12, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, U.S. Patent No. (5,961,645) in view of Jablon, U.S. Patent No. (6,226,383) in further view of Klug, U.S. Patent No. (5,790,785).

Claim 9 is rejected applied as above in rejecting claim 1. Furthermore, Baker teaches users being redirected to other URLs (Col. 2, lines 27-35). However, Baker doesn't expressly disclose that a user may subscribe for a secret site URL while the main site is under attack. Jablon discloses a system to handle on-line trial-and-error dictionary attacks and "denial-of-service" attacks (Col. 13, lines 15-20). Klug discloses an independent Registrar Website (Fig. 1, elem. 100) which may handle the process of subscribing a user to a third party website (Fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ teachings of the combined system of Jablon and Klug within the system of Baker because it would allow a user may subscribe for a secret site URL while the main site is under attack.

Claim 11 is rejected applied as above in rejecting claim 1. Furthermore, Baker teaches users being redirected to other URLs (Col.2, lines 27-35). However, Baker doesn't expressly disclose subscription by a user during an attack through another

Internet operation, one completely independent of the operation on the main site. Jablon discloses a system to handle on-line trial-and-error dictionary attacks and "denial-of-service" attacks (Col. 13, lines 15-20). Klug discloses a Registrar Website (Fig. 1, elem. 100) which may handle the process of subscribing a user to a third party website (Fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ teachings of the combined system of Jablon and Klug within the system of Baker because it would allow subscription by a user during an attack through another Internet operation, one completely independent of the operation on the main site.

Claims 12 and 19 are rejected applied as above in rejecting claims 1 and 14. Furthermore, Baker teaches users being redirected to other URLs (Col.2, lines 27-35). However, Baker doesn't expressly disclose a reserve of secret sites, maintained to become available to the users of said Internet operation in the event of an emergency created by an attack. Jablon discloses a system to handle on-line trial-and-error dictionary attacks and "denial-of-service" attacks (Col. 13, lines 15-20). Klug discloses that user id and password information is stored in the third party website database for the future access of the third party website by the user (Fig. 8). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ teachings of the combined system of Jablon and Klug within the system of Baker because it would allow a reserve of secret sites, maintained to become available to the users of said Internet operation in the event of an emergency created by an attack.

5. Claims 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, U.S. Patent No. (5,961,645) in view of Waldner, U.S. Patent No. (6,141,413).

Claims 10 and 18 are rejected applied as above in rejecting claims 1 and 14. However, Baker doesn't expressly disclose the telephone subscription system based on telephone contact, automated to provide a secret site URL. Waldner discloses an automated telephone answering apparatus (Fig. 2) including a storage device which stores information linking at least one of the telephone numbers for which telephone calls are being answered by the telephone answering apparatus to a uniform resource locator (URL) identifying a page on the World Wide Web (Web page) associated with the telephone number, a look-up device which looks up the telephone number of each telephone call answered by the telephone answering apparatus in the storage device and, if the telephone number is found in the storage device, retrieves the URL identifying the Web page associated with the telephone number from the storage device ... (Abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ teachings of Waldner within the system of Baker to have a telephone subscription system based on telephone contact, automated to provide a secret site URL.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (703) 305-8749. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Arezoo Sherkat


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